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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/345,668	06/30/1999	JOHN S. DANIEL	36968-179673	1489

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EXAMINER

LEVITAN, DMITRY

ART UNIT	PAPER NUMBER
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2662

DATE MAILED: 07/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/345,668

Applicant(s)

DANIEL ET AL. *de*

Examiner

Dmitry Levitan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/30/99 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Drawings

1. This application has been filed with informal drawings, which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Specification

2. The abstract of the disclosure is objected to because of undue length. Correction is required. See MPEP § 608.01(b).

3. The disclosure is objected to because of the following informalities:

Typo on page 16, line 11.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. Claims 1-6 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Regarding claim 1, the specification does not provide any detailed description of the structure and operation of the communication element.

Regarding claim 6, the specification does not provide any detailed description of the structure and operation of the service control point, intelligent network element and intelligent peripheral.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1-5, 7, 9-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Emery (US 6,011,975).

Emery teaches a telecom system (Fig. 2) including a wireless system with a mobile switching center (Cellular MC 22 on Fig. 2) and including a wireline network (SSP 11 on Fig. 2 and col. 11 lines 2-12), wherein wireline units may call each other by using an extension (col. 24 lines 55-64).

The wireline network has a communication element (ISCP 40 and STP 31 on Fig. 2, col. 12 lines 11-13 and col. 13 lines 17-22) with access to a table with wireline entries (TCAP col. 13 lines 31-44) including wireline extension (TCAP routing number) and corresponding wireline directory number (TCAP destination number). Transaction Capabilities Application Part (TCAP)

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is a protocol utilizing numerous tables including the table with routing and destination numbers entries.

The telecom system includes wireline and wireless units (Fig. 2) where each unit can call the other using an extension (col. 24 lines 55-64).

The wireless system comprises:

- A. the table with entries for all wireless units (TCAP col. 13 lines 31-44),
- B. the communication element (ISCP 40 and STP 31 on Fig. 2, col. 12 lines 11-13) comprises the table (TCAP) and route the call,
- C. the MSC of the wireless network (Cellular MC 26 on Fig. 2) being connected to the communication element (ISCP 40 and STP 31 on Fig. 2) and being operative to access table (TCAP) and route calls.

The telecom system is a Centrex network where a caller would dial a limited number of digits and the network would access data in the ISCP to determine the complete destination number (col. 24 lines 55-64).

Regarding claim 4, Emery teaches MSC (MC 34 on Fig. 2 and col. 26 lines 63-68, col. 27 lines 1-24) comprising the table (TCAP of ISCP 50 on Fig. 2).

Regarding claim 9, Emery teaches qualification for wireline and wireless units (TCAP tables comprising parameters, as "Service Key" which includes the calling party address, Originating Restrictions or Terminating Restrictions col. 13 lines 35-48). Depending on the intention of "qualification", one of the TCAP parameters will operate for both types of units.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emery in view of Shaffer (US 6,130,935).

Emery teaches all claim limitation of 1 and 7, including parts of claims 6 and 8 regarding the communication element comprising a PBX (col. 10 lines 57-67), wireline end office (SSP 11 on Fig. 2), mobile switching center (MC 22 on Fig. 2), intelligent network element (SMS 41 on Fig. 2 and col. 13 lines 50-57) and service control point (SCP 43 on Fig 2 and col. 13 lines 60-63).

Emory does not teach comprising an intelligent peripheral in his system.

Shaffer teaches an intelligent peripheral (IP 116 on Fig. 1 and col. 3 lines 3-8) in a telephone network using TCAP. It would be obvious to one of ordinary skill in the art at the time the invention was made to add an intelligent peripheral of Shaffer to the system of Emery to improve the system users interaction.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Shumacher	5,841,854	Wireless telephone integration system and method for call centers and workgroups.
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Emery	5,758,281	Personal communication service using wireline/wireless integration.
Emery	5,353,331	Personal communication service using wireline/wireless integration.
Brankley	5,467,390	Data transmission via public switched telephone network.
Turner	5,892,821	Virtual wide area Centrex.
Karppinen	5,920,619	Regional Centrex.
Lange	4,802,199	Method and apparatus for providing virtual facility communication service.
Kay	5,247,571	Area wide Centrex.
Fuller	5,282,244	Virtual signaling network method.
Hasenauer	5,422,941	Extension of Centrex services.
Wilkes	5,539,817	Wide area Centrex toll service with novel translation.
Black	Prentice Hall, 1997.	ISDN and SS7. Chapter 14. TCAP, pages 249-274.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dmitry Levitan whose telephone number is 703-305-4384. The examiner can normally be reached on 8:30 to 4:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on 703-305-4744. The fax phone numbers for the

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organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

Dmitry Levitan
Patent examiner.
July 11, 2002



2002
SUPERVISORY PATENT EXAMINER
BIOLOGY CENTER 2600